

No. 11039-4Lab-73/87080.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Haryana, Rohtak in respect of the dispute between the workman and the management of M/s Spencer Lock Co., Plot No. 63, Sector 6, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 76 of 1972

between

SHRI RAM CHANDER AND THE MANAGEMENT OF M/S SPENCER LOCK CO.,
PLOT No. 63, SECTOR 6, FARIDABAD

Present—

Shri R. C. Sharma, for the management.

Nemo, for the workman.

AWARD

Shri Ram Chander was in the service of M/s. Spencer Lock Co., Plot No. 63, Sector-6, Faridabad. The management allegedly terminated his services with effect from 25th October, 1971. He raised a demand for reinstatement. The matter was taken up for conciliation which ended in failure.

On receipt of the failure from the Conciliation Officer, the Governor of Haryana referred the dispute for adjudication to this court,—vide order No. ID/FD/519-C-71/7302, dated 22nd February, 1972, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1957, the following term of reference:

"Whether the termination of services of Shri Ram Chander was justified and if not, to what relief is he entitled?"

The parties were called to put in their respective written statements. The workman concerned has not come forward with any statement of claim. He has even elected not to appear and pursue his case. The management has taken the plea that, as a matter of fact, this workman had submitted his resignation on 25th October, 1971, which was duly accepted and after the settlement of his account a sum of Rs 132.77 was paid to him. This plea has been fully substantiated by the statement of Shri R. C. Sharma, authorised representative of the management read with the original letter of resignation Ex. M. 1 and the voucher of payment Ex. M. 2. He has proved still another letter dated 15th November, 1971 Ex. M. 3 written by the workman to the effect that he had no dispute with the management.

In view of the above, no further proceedings are called for in the case and have no reason whatever to disbelieve the above statement made on behalf of the management especially when the workman concerned is himself not coming forward to deny the same and pursue his claim. In the circumstances, the workman cannot be held entitled to any relief in the case and in view of the voluntary resignation submitted by him which was duly accepted by the management, there was no industrial dispute between the parties which could validly be referred for adjudication. The award is made accordingly but there shall be no order as to costs.

Dated the 17th October, 1973.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2526, dated 5th October, 1973.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 19th September, 1973.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.